THE HONOURABLE SRI JUSTICE
A.GOPAL REDDY
and
THE HONOURABLE SRI JUSTICE
P.SWAROOP REDDY

TAKEN UP W.P.No.15073 of 2005

Dt.08-10-2007

Between:
Mrs. I.Sita Devi

..Petitioner

and

1. The Superintendent of Prohibition & Excise,
   Ranga Reddy District, Hyderabad and others.

..Respondents.

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Oral Order: (Per Hon'ble Sri Justice ***A.Gopal Reddy***)

One Mrs.I.Sita Devi addressed a letter dated 11-07-2005 to the Hon'ble the Chief Justice alleging that retail license was given to run a wine shop in Plot No.234 and 235 in Ward No.8 of Saradanagar Colony, Phase-I, Vanastalipuram; the area is totally residential colony and there are schools and temples within the close vicinity of the proposed wine shop. If the wine shop is allowed to run, the residents of the colony will be put to great hardship and inconvenience and no security particularly to the ladies.

The said letter has been taken up as writ petition and notices were sent to the respondents.

Pending writ petition the President of the Sharadanagar Welfare Association filed W.P.No.15371 of 2005 seeking a Mandamus directing the Prohibition and Excise, R.R.District—1st respondent therein to permit B.Narendar—3rd respondent therein to shift his retail liquor shop in Ward No.6 of L.B.Nagar Municipality to any other place in the light of the recommendations of the 2nd respondent dated 07-07-2005 by declaring the inaction of the respondents in shifting the shop.

The Prohibition and Excise Inspector, Hayatnagar,

R.R.District through his letter dated 07-07-2005 addressed to the Prohibition and Excise Superintendent, R.R.District stated that licence for “By shop” against Sl.No.166 was issued in Ward No.8 of L.B.Nagar Municipality in favour the auction purchaser, B.Narendar in the name and style M/s.Sapthagiri wines at Plot Nos.234 & 235, Sharadanagar Colony, Vanastalipuram, Hayatnagar Mandal. The local residents including women strongly opposed its location in their colony, due to which the licensee is not able to commence his business, and the residents have staged Dharnas and submitted petitions to various authorities including to the concerned Member of Legislative Assembly. Therefore, it is not possible to run the shop in the premises. The licensee in his representation stated that his shop has been notified in the 8th ward instead of 6th ward due to the mistake of the municipal authorities in identifying the location. In view of the circumstances, the representation of B.Narender, licensee of M/s.Sapthagiri Wines for permitting him to shift his business premises from Plot No.234 & 235 of Sharadanagar colony (Ward No.8) to Ward No.6 of L.B.Nagar Municipality has been forwarded to the Prohibition and Excise Superintendent, R.R.District.

In the said writ petition, WPMP No.14854 of 2006 was filed by the licensee for refund of the license fee.

This Court by judgment dated 03-07-2007 disposed of the said writ petition holding that since the license period 2005-2006 is expired, no direction can be issued for refund of the license fee to the third respondent.

In view of expiry of the licensing period and respondents have not renewed the license and also in view of recommendations

made by the Prohibition and Excise Inspector for shifting the license premises to some other shops, the cause in the writ petition do not survive.

The writ petition is accordingly dismissed.

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A.GOPAL REDDY, J.

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P.SWAROOP REDDY,J

08-09-2007

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